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Attorneys for Defendant/Counter-Claimant
ELLIE MAE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DOCMAGIC, INC., a California corporation,
Plaintiff,

v.

ELLIE MAE, INC., a Delaware corporation,
Defendant.

AND RELATED COUNTERCLAIM

Case No. 3:09-CV-4017-EMC

**SUPPLEMENTAL JOINT CASE
MANAGEMENT STATEMENT**

Hon. Edward M. Chen

ORDER RESETTING CMC

Pursuant to Local Rule 16-9 and the Court's February 3, 2012 order, Plaintiff/Counter-Defendant DocMagic, Inc. ("DocMagic") and Defendant/Counter-Claimant Ellie Mae, Inc. ("Ellie Mae"), respectfully submit this supplement to the Joint Case Management Statement filed on December 31, 2009 (Dkt. No. 24), and the Supplemental Joint Case Management Statements filed on April 12, 2010 (Dkt. No. 32), May 9, 2011 (Dkt. No. 130), and June 21, 2011 (Dkt. No. 133).

I. Status of Settlement Discussions

The parties are currently in the process of finalizing documentation of a settlement agreement reached during mediation before the Honorable Edward A. Infante. Finalizing the settlement documents has taken longer than expected, but the parties continue to negotiate in good faith and anticipate that the settlement will be finalized. The parties respectfully suggest that the Court may want to continue the March 9, 2012 Case Management Conference in light of these circumstances.

II. Status of Case Schedule/Request for Order of Continuance

Judge Patel set the following discovery limits and cutoffs at the May 16, 2011 Case Management Conference (Dkt. 131):

- (a) Fact discovery to be completed by January 15, 2012;
- (b) No more than six experts, with reports due not later than March 15, 2012;
- (c) Rebuttal expert reports due not later than April 30, 2012;
- (d) Expert discovery cutoff not later than May 31, 2012;
- (e) Non-expert depositions limited to 15 per side;
- (f) Requests for production limited to 25 additional per side.

Pursuant to the parties' stipulation, the Court vacated the January 15, 2012, discovery cutoff (Dkt. 135). The parties will seek, either at the Case Management Conference or by stipulation if the conference is continued, an order vacating the remaining upcoming deadlines.

1 Dated: March 2, 2012

MORRISON & FOERSTER LLP

2
3 By: /s/ Stuart C. Plunkett
4 Stuart C. Plunkett

5 Attorneys for
6 Plaintiff/Counterdefendant
7 DOCMAGIC, INC.

8 Dated: March 2, 2012

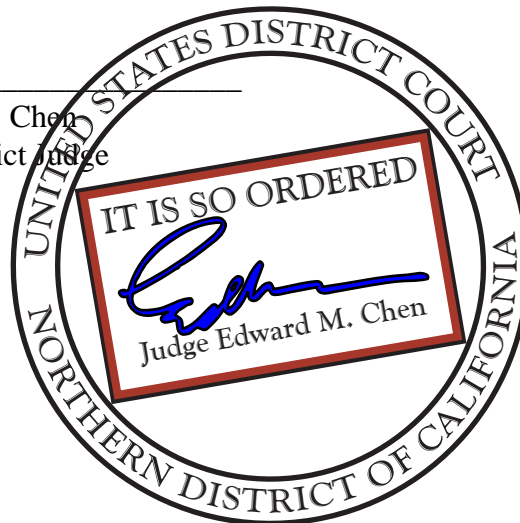
WHITE & CASE LLP

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10 By: /s/ Ellen McGinty King
11 Ellen McGinty King

12 Attorneys for
13 Defendant/Counterclaimant
14 ELLIE MAE, INC.

15 IT IS SO ORDERED that the CMC is reset from 3/9/12 to 6/8/12 at 9:00 a.m. A joint CMC
16 statement shall be filed by 6/1/12.

17 _____
18 Edward M. Chen
19 U. S. District Judge



ATTESTATION PURSUANT TO GENERAL ORDER 45 X.B.

I, Stuart C. Plunkett, am the ECF User whose ID and password are being used to file this Supplemental Joint Management Conference Statement. In compliance with General Order 45, X.B., I hereby attest that Ellen McGinty King has concurred in this filing.

Dated: March 2, 2012

MORRISON & FOERSTER LLP

/s/ Stuart C. Plunkett
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